

# **Building Standards Advisory Committee**

**Report of the Building Standards Advisory Committee (BSAC) for  
2004**

## WHO WE ARE

The Building Standards Advisory Committee (BSAC) is an advisory non-departmental public body which was established under the Building (Scotland) Act 1959 and continued under the Building (Scotland) Act 2003. The purpose of the Committee, which normally meets 3 times a year, is to advise Scottish Ministers on matters relating to the development of building regulations. Responsibility for building regulations in Scotland, is devolved to the Scottish Parliament.

BSAC is sponsored by the Scottish Building Standards Agency (SBSA), an Executive Agency of the Scottish Executive Development Department. The secretariat is provided by the SBSA, which also provides additional technical expertise to the Committee.

Members of the Committee have been appointed by Scottish Ministers and are selected to provide a broad spectrum of technical knowledge relevant to construction. They are not selected to represent particular interest groups. In 2004 the membership was as detailed below.

<b>BUILDING STANDARDS ADVISORY COMMITTEE: MEMBERSHIP 2004</b>		
[REDACTED] (Chairman)	[REDACTED]	Appointed 1.4.04 to 31.12.06
[REDACTED]	[REDACTED]	Re-appointed 1.1.02 to 31.12.04
[REDACTED]	[REDACTED]	Re-appointed 1.1.02 to 31.12.04
[REDACTED]	[REDACTED]	Re-appointed 1.1.00 to 31.12.04
[REDACTED]	[REDACTED]	1.1.00 to 31.12.04
[REDACTED]	[REDACTED]	1.1.00 to 31.12.04
[REDACTED]	[REDACTED]	Re-appointed 1.1.00 to 31.12.04
[REDACTED]	[REDACTED]	Re-appointed 1.1.00 to 31.12.04
[REDACTED]	[REDACTED]	1.1.02 to 31.12.04
[REDACTED]	[REDACTED]	Re-appointed 1.1.00 to 31.12.04
[REDACTED]	[REDACTED]	Re-appointed 1.1.00 to 31.12.04

The terms of reference of the Committee are:

- to advise Scottish Ministers on the exercise of their regulation-making functions under Section 3 of the Building (Scotland) Act 1959 (the “1959 Act”).
- to keep the operation of the building standards regulations under review and to make such recommendations to Scottish Ministers as the Committee considers desirable;
- to advise Scottish Ministers on any questions which they may refer to the Committee relating to any of their functions under Part II of the 1959 Act (Building Standards and Building Operations)

The Committee is intended to provide a technical input to proposals for regulations, but with a strong remit to consider both the potential effects of the legislation and its interaction with related legislation.

As from the 1 May 2005 the remit of the committee will be expanded when the Building (Scotland) Act 2003 comes into force.

## **WHAT WE HAVE DONE**

During 2004, the Committee’s main deliberations have related to consideration of the following issues:-

- Issues surrounding the requirements for sprinklers in new buildings
- Certification Schemes for the new system
- Building Regulations and Guidance Documents
- Procedure and Fees Regulations
- Current and Future Research issues

During 2004, the Committee considered the following discussion papers:-

- *Requirements for sprinklers in new buildings*
- *BSAC Freedom of Information Publication Scheme*
- *BSAC Briefing Note on the Disability Discrimination Act 1995*
- *The Scottish Building Standards Certification Handbook*
- *the SBSA Technical Revision Programme*
- *The Small Buildings Guide – Future Strategy*

## **BSAC SUB-GROUPS**

### **BSAC FIRE SUB-COMMITTEE**

The BSAC Fire Sub-committee met on 19 March 2004 to consider the technical guidance that would be required to support the proposed Standard 2.15 requiring residential sprinklers in residential care buildings; high rise domestic buildings; and sheltered housing complexes. The meeting was chaired by BSAC member [REDACTED] and was also attended by Committee members: [REDACTED]

██████████. Co-opted members were: ██████████ (Strathclyde Fire Brigade) and ██████████ (Stirling Council). Officials supporting the Fire Sub-committee meeting were from: Scottish Executive Building Standards and Fire Services Divisions; HM Fire Service Inspectorate; Health Department Community Care; and the Office of the Deputy Prime Minister.

The Sub-committee accepted that research on residential sprinklers had overtaken the usual process of consideration of technical change, so much so that a policy decision had already been taken on the principle of requiring residential sprinklers. The Sub-committee, however, endorsed the decision and reached broad agreement on the way forward, particularly in relation to the detailed issues of definition and technical specification necessary to support the proposed new requirements.

### **BSAC RESEARCH SUB COMMITTEE**

Members of BSAC serving on the Research Sub-Committee were: ██████████ (Chairman); ██████████; and ██████████. There were also a number of co-opted members: ██████████, ██████████, ██████████ and ██████████ with, respectively, expertise in construction, design, insurance and building control. The remit of the committee was to advise BSAC on trends in construction and research activity that relate to the development of building regulations and the building standards process.

Items discussed at the meetings in March and May 2004 were:

- Progress with the Research Programme
- Strategic Research Review
- Sustainable Buildings Task Group
- Technical Guidance Documents
- Web-based standards and E-Governance - workshop jointly organised by Glasgow Caledonian University and the Executive.
- Fire research contracts following the Rosepark Care Home fire.

There were 3 presentations from Scottish Executive: Planning, Building Procurement and Architectural Policy Divisions on 27 May 2004.

### **BSAC PUBLICATION SCHEME**

Under the Freedom of Information (Scotland) Act 2002, all Scottish public authorities, including BSAC, were required to produce a publication scheme setting out which classes of information they intended to publish on a regular basis. BSAC sub-group papers would also now be in the public domain.

## WHAT WE PLAN TO DO

### FUTURE BSAC SUB-COMMITTEES

At the November 2004 BSAC meeting, it was proposed to establish 3 new BSAC Working Groups, as follows:

Structure – (██████████ to chair)

This Working Group will focus on the review of standards and guidance on structures, including the updating of the Small Buildings Guide.

Safety – (██████████ to chair)

The Group will review guidance to improve accessibility to and within buildings and promote inclusive design as a means of addressing access.

Energy – (██████████ to chair)

Implementation of the Energy Performance of Buildings Directive would require changes to both building standards and procedure regulations.

The BSAC Fire Sub-committee would be retained with ██████████ as Chair. The future role of the BSAC Research Sub-committee would be reviewed.

The work of the above BSAC Working Groups would be ongoing through 2005.

## **CHAIRMAN'S COMMENTS**

In my first year as Chairman of BSAC, I would principally like to thank my Committee colleagues for the continuing commitment, enthusiasm and expertise that they bring to this challenging advisory role, which involves them in attending not only main BSAC Committee meetings but also Sub-committees and working groups. BSAC members are busy, professional people in their own sphere of work and willingly give of their valuable time to this advisory body. They have also helped me to settle into my new role as Chairman, a position I was proud to accept.

I would also like to take the opportunity of thanking the officials of the Executive's Building Standards Division, which became the Scottish Building Standards Agency on 21 June 2004, for their support and commitment at what has been a very demanding time, particularly in view of the imminent relocation of the Agency to Livingston at the start of 2005.

Throughout 2004, the focus of the Committee was very much on the development and introduction of new legislation and procedures to support the Building (Scotland) Act 2003. However, we also recognised the need to look beyond the introduction of the new system and consider a timetable of future change to building standards. The new BSAC Working Groups detailed above are a first step towards revising standards and I look forward to the challenges that we will face in 2005.



# **Building Standards Advisory Committee**

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2005**

## **WHO WE ARE**

The Building Standards Advisory Committee (BSAC) is an advisory non-departmental public body which was established under the Building (Scotland) Act 1959 and continued under the Building (Scotland) Act 2003. The purpose of the Committee, which normally meets 3 times a year, is to advise Scottish Ministers on matters relating to the development of building regulations. Responsibility for building regulations in Scotland, is devolved to the Scottish Parliament.

BSAC is sponsored by the Scottish Building Standards Agency (SBSA), an Executive Agency of the Scottish Executive Development Department. The secretariat is provided by the SBSA, which also provides additional technical expertise to the Committee.

Members of the Committee have been appointed by Scottish Ministers and are selected to provide a broad spectrum of technical knowledge relevant to construction. They are not selected to represent particular interest groups.

The precise remit of the Committee is:

- to advise Scottish Ministers on the exercise of their functions under the Building (Scotland) Act 2003;
- to keep the operation of the building regulations under review and to make recommendations to Scottish Ministers in connection with the regulations; and
- to advise Ministers on any question relating to their functions under the Act which they may refer to the Committee.

The Committee is intended to provide a technical input to proposals for regulations, but with a strong remit to consider both the potential effects of the legislation and its interaction with related legislation.

## COMMITTEE MEMBERSHIP

Name	Occupation	Appointment Details
[REDACTED]	[REDACTED]	1.4.04 to 31.12.06
[REDACTED]	[REDACTED]	Re-appointed 1.1.05 to 31.12.07
[REDACTED]	[REDACTED]	Re-appointed 1.1.05 to 31.12.07
[REDACTED]	[REDACTED]	Re-appointed 1.1.05 to 31.12.07
[REDACTED]	[REDACTED]	Re-appointed 1.1.05 to 31.12.07
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[REDACTED]	[REDACTED]	1.1.05 to 31.12.07
[REDACTED]	[REDACTED]	1.1.05 to 31.12.07
[REDACTED]	[REDACTED]	1.1.05 to 31.12.07
[REDACTED]	[REDACTED]	1.1.05 to 31.12.07

In 2005, full Committee meetings were held in April, August (2 days) and December and were attended by an average of 13 members per meeting.

Additionally, with a total of 14 Working Group meetings attended variously by 13 Committee members – the total Member commitment in terms of working days for all BSAC activity is estimated at approximately 99 working days.

Against a small operational budget of £8,000 per annum, which is intended to offset travel and meeting costs – the value of BSAC is estimated, therefore, to be in the region of £41,500 in terms of Member commitment.

## **WHAT WE HAVE DONE**

During 2005, the Committee have considered the following issues:-

- The build up and introduction to the new building standards system which came into force on 1 May 2005
- Issue of Directions to Verifiers
- Verifier audit processes
- SBSA Corporate Plan
- Energy Performance of Buildings Directive
- Current and Future Research issues
- Certification Schemes
- The Fire (Scotland) Act 2005 – implications for building regulations
- Sustainability

During 2005, the Committee considered the following discussion papers, most of which subsequently led to the formulation of recommendations to Scottish Ministers:-

- Circular on how Scotland will implement the EU Directive on the Energy Performance of Buildings (EPBD)
- SBSA Research Strategy
- Water Conservation
- Low Level Letter Boxes
- Tall Buildings
- Guidance document on conservatories

## **BSAC WORKING GROUPS**

### **Review of Standards and Guidance on Access (incorporates review of scalding)**

Objectives of Working Party:

#### **Access and Use of buildings**

Review secondary legislation and guidance to improve accessibility to and within Buildings and promote inclusive design as a means of addressing access and, to a limited extent, sustainability issues. Intended implementation in May 2007 revision of building standards.

#### **Scalding**

To determine if practical guidance can be produced and implemented to reduce the risk of injury by scalding from contact with hot water discharged from fittings. Intended implementation in May 2006 revision of building standards.

Convenor of Working Party	██████████
Number of meetings as at Dec 2005	5
When going out to consultation	Hot water safety issued 28/8/2005 Access & Use – 1 March 2006

### **Review of Standards and guidance on Energy and Environment**

Objectives of Working Party

- Meet Partnership agreement commitment.
- Set out to achieve energy standards that although minimum, would be robust enough to deliver savings in CO<sub>2</sub> emissions.
- Focus on reduction of energy use within buildings, although sustainability issues could be fed in as work progressed.
- Try to make one robust change to deliver energy efficiency levels that would last for (say) five years, rather than ones that would need adjusted every 2-3 years.
- To build on the work of the last Part J (6<sup>th</sup> Amendment) working party, e.g. improve the standards for conservatories and maintain the improved wall U-value differential with the rest of the UK.

Chair of Working Party	██████████
Number of meetings as at Dec 2005	5
When going out to consultation	1 March 2006

## **Review of Standards and Guidance on Structures**

### Objectives of Working Party

Review the Functional Standards and Guidance on Domestic and Non- Domestic Buildings with respect to Section 1–Structure in particular :

- Instability from landslip and subsidence
- Instability of adjacent buildings
- Small Buildings Guide update
- Disproportionate collapse update

Chair of Working Party

██████████

Number of meetings as at Dec 2005

4

When going out to consultation

1 March 2006

### **WHAT WE PLAN TO DO**

The work of the 3 BSAC Sub-groups detailed above will continue to conclusion during 2006 as they will have to review the outcomes of the consultation exercises and comment on proposals before changes are recommended to Ministers.

Consideration of the range of issues relating to implementation of the EU Directive on the Energy Performance of Buildings will continue throughout the year.

Following the introduction of the new system of building standards on 1 May 2005, it will be necessary to review the new procedures to ensure that the system is working effectively for all stakeholders. This will necessitate the establishment of a BSAC Working Group on Procedures at some point in 2006.

### **CHAIRPERSON'S COMMENTS**

*This has been a year of changes. Although we have carried on from last year as BSAC we were formally reconstituted from the beginning of this year under the Building (Scotland) Act 2003 with a slightly enlarged remit and I have been transformed from chairman to chairperson. We, along with the SBSA, have moved to new premises in Livingston and we are all getting used to our new location and new premises. In May the new building standards system came into operation. There have been some teething problems in relation to the approved certifier schemes but overall the new system appears to be 'bedding in' reasonably well. However, for applications made before May, the old system still applies. This led to a flurry of applications being made immediately before May. Building under these warrants is still working its way through the system. We shall, therefore, be dealing with both systems for a little while yet.*

*We have, however, not been able to rest on our laurels. As the rest of this report shows both the Committee and its Working Parties have been busy progressing legislation to implement important improvements to the Scottish built environment and to make our contribution to reducing greenhouse gases and global warming.*

*All of this activity would not be possible without the giving of time and expertise freely by all the members of the Committee and of its Working Parties, the members of which are experts in their field and leaders and senior members of their respective professions and industries. I would therefore like to take this opportunity to thank them all for finding the time, in their busy professional and business lives, not only to attend these meetings but also to read, digest, understand and comment upon the many technical papers produced for such meetings. I must also add my personal thanks for the help that they have given me as chair.*

*Finally, I would like to thank all of the officials at the SBSA for their assistance, support and help to both the Committee and its Working Parties. I am sure I am speaking for all of the members when I say that without that help and support we would not have been able to carry out our functions and fulfil our remit.*



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[REDACTED]	[REDACTED]	1.1.05 to 31.12.07

In 2006, full Committee meetings were held in April, August, and December and were attended by an average of 10 members per meeting.

Additionally, with a total of 6 Working Group meetings attended variously by 13 Committee members – the total Member commitment in terms of working days over and above essential reading and preparation for meetings for all BSAC activity is estimated at approximately 50 working days.

Against a small operational budget of £8,000 per annum, which is intended to offset travel and meeting costs – the overall value of BSAC to the Scottish Executive is estimated at approx £50,000.

## WHAT WE HAVE DONE

During 2006, the Committee have considered the following issues:-

- The continuous development of the new building standards system which came into force on 1 May 2005
- Issue of Directions to Verifiers
- Verifier audit processes
- SBSA Corporate Plan
- Energy Performance of Buildings Directive
- Current and Future Research issues
- Certification Schemes
- The Fire (Scotland) Act 2005 – implications for building regulations
- Sustainability
- Tall Buildings
- Fire Safety in Residential Care Premises

Committee members were also involved in working groups which led to the following consultations:

- ***Review of the Building Standards (Scotland) Regulations 2004  
Section 1: Structure***  
Went out to consultation on 1 March 2006 and received 30 responses.  
Consultation report can be accessed at :  
<http://www.sbsa.gov.uk/pdfs/CONSULTATIONREPORTSECTION1.pdf>
- ***Review of the Building (Scotland) Regulations 2004  
Section 4 & 3 – Review of Standards and Guidance on Access***  
Went out to consultation on 1 March 2006 and received 43 responses.  
Consultation report can be accessed at:  
<http://www.sbsa.gov.uk/pdfs/CONSULTATIONREPORTSECTION4&3.pdf>
- ***Review of the Building (Scotland) Regulations 2004  
Section 6: Energy (incorporating changes to section 3 on heating  
ventilation and condensation)***  
Went out to consultation on 1 March 2006 and received 69 responses.  
Consultation report can be accessed at:  
<http://www.sbsa.gov.uk/pdfs/CONSULTATIONREPORTSECTION6&3.pdf>
- ***Implementation of Articles 7, 8 and 9 on the EU Directive on the Energy  
Performance of Buildings***  
  
Went out to consultation on 15 May 2006 and received 48 responses.  
Consultation report can be accessed at:  
<http://www.sbsa.gov.uk/pdfs/epbdconsultations.pdf>

During 2006, the Committee considered the following discussion papers, most of which subsequently led to the formulation of recommendations to Scottish Ministers:-

- Guidance Documents on Conservatories
- Guidance Documents on Section 1 (Structure), Section 4 & 3 (Safety and Environment) and Section 6 & 3 (Energy and Environment)
- Proposed Work Area on Section 0/3/4 (General, Environment and Safety), Section 2 (Fire) and Section 5 (Noise)
- Energy Performance on Building Directive

## **WHAT WE PLAN TO DO**

3 working parties have been established to review:

- Section 0/3/4 (General, Environment and Safety) – additional issues to promote sustainable development.
- Section 2 (Fire) – in particular means of escape.
- Section 5– complete review of standards and guidance.

Continue to review the implementation of the EU Directive on the Energy Performance of Buildings and of the implementation of Part 3 of the Fire (Scotland) Act 2005 and its interaction with the Building (Scotland) Regulations 2004 (as amended by the Amendment Regulations 2006).

Review SBSA progress on proposals expected on the application of the Building (Scotland) Act 2003 to Crown buildings and on the implementation of Section 6 of the Building (Scotland) Act 2003, Building Standards Assessment.

Consider SBSA progress on the audit of local authorities as verifiers and the approval of schemes for certifiers and of individual certifiers.

## **CHAIRPERSON'S COMMENTS**

This has been a year for consolidating on the changes of last year. We are settling into our new premises in Livingston. In May the first amendments to the Guidance in the Technical Handbooks were made. These were made without the need for any change to the relevant Regulations. The first amendments to the Regulations (the Building (Scotland) Amendment Regulations 2006) are being introduced in May 2007. These are being made in part to implement the Energy Performance of Buildings Directive. The initial teething problems with the approved certifier schemes are being resolved and some progress is being made in relation to the approval of new schemes. However, for applications made before May 2005, the old system still applies. Buildings approved under these warrants are still working their way through the system. We shall, therefore, be dealing with both systems for a little while yet.

We have, however, not been able to rest on our laurels. As the rest of this report shows both the Committee and its Working Parties have been busy progressing legislation to implement important improvements to the Scottish built environment and to make our contribution to reducing greenhouse gases and global warming. We have also been considering the impact of other legislation, such as the Fire (Scotland) Act 2005, on the Building (Scotland) Act 2003 and the Regulations and Guidance issued there under and the best means of integrating the effects of the one with the other

You may have noticed in the report a note of the committee budget set against the estimated value, in money terms, generated by that expenditure. Such stunning value is entirely due to the expertise, knowledge and experience of, and time freely given by, members, both past and present, of the Committee and of its Working Parties, all of whom are experts in their field and leaders and senior members of their respective professions and industries. I would therefore like to take this opportunity to thank them all for finding the time, in their busy professional and business lives, not only to attend these meetings but also to read, digest, understand and comment upon the many technical papers produced for such meetings. I must also add my personal thanks for the help that they have given me as chair. You may also have noticed, from this report, that two of the members of the committee came to the end of their appointment to the committee at the end of 2006 and two resigned. I would like to take this opportunity to thank them for their invaluable assistance and service on the committee over a number of years. They will be missed.

Finally, I would like to thank all of the officials at the SBSA for their assistance, support and help to both the Committee and its Working Parties. I am sure I am speaking for all of the members when I say that without that help and support we would not have been able to carry out our functions and fulfil our remit.



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(BSAC) for 2007

## WHO WE ARE

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2. BSAC is sponsored by the Scottish Building Standards Agency (SBSA)\*. The secretariat is provided by the SBSA, which also provides additional technical advice to the Committee.
3. Members of the Committee have been appointed by Scottish Ministers and are selected to provide a broad spectrum of technical knowledge relevant to construction. They are not selected to represent particular interest groups.
4. The precise remit of the Committee is:
  - To advise Scottish Ministers on the exercise of their functions under the Building (Scotland) Act 2003;
  - To keep the operation of the building regulations under review and to make recommendations to Scottish Ministers in connection with the regulations; and
  - To advise Ministers on any question relating to their functions under the Act which they may refer to the Committee.
5. The Committee is intended to provide a technical input to proposals for regulations, but with a strong remit to consider both the potential effects of the legislation and its interaction with related legislation.

\* The SBSA was an Executive Agency of the Scottish Government until 31 March 2008. From 1 April 2008, the SBSA will be known as Building Standards Division within the Scottish Government Directorate for the Built Environment, which also includes Planning and Architectural Policy

## COMMITTEE MEMBERSHIP

Name	Occupation	Appointment Details
[REDACTED]	[REDACTED]	1.1.07 to 31.12.09
[REDACTED]	[REDACTED]	1.1.05 to 31.12.07
[REDACTED]	[REDACTED]	1.1.05 to 31.12.07
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[REDACTED]	[REDACTED]	1.1.05 to 31.12.07
[REDACTED]	[REDACTED]	1.1.05 to 31.12.07

6. In 2007, full Committee meetings were held in April, August and December and were attended by an average of 8 members per meeting.

7. Additionally, with a total of 15 Working Group meetings attended variously by 11 Committee members – the total Member commitment in terms of working days over and above essential reading and preparation for meetings for all BSAC activity is estimated at approximately 60 working days.

8. A small operational budget of £9,000 per annum is allocated to the Agency, which is intended to offset travel and meeting costs.

## WHAT WE HAVE DONE

9. During 2007, the Committee have considered the following issues:

- The dissemination of changes to new building standards which came into force in May 2007
- The implications of the Energy Performance of Buildings Directive on the building standards system
- Verifier audits
- Certification schemes
- Current and future building standards research
- Implementation of the Fire (Scotland) Act 2005
- Self verification by local authorities for buildings in which they have an interest
- Sustainability
- Developments in the Building Regulations in England and Wales and Northern Ireland
- A Low Carbon Building Standards Strategy for Scotland

10. Committee members provided advice prior to the following public consultations:

- **Proposals to amend the Building (Fees) (Scotland) Regulations 2004** - which went out to consultation on 9 October 2007. The consultation report can be accessed at:  
[http://www.sbsa.gov.uk/pdfs/Consultation\\_Report\\_Review\\_Building\(Scotland\)\\_Fees\\_Regs\\_2004.pdf](http://www.sbsa.gov.uk/pdfs/Consultation_Report_Review_Building(Scotland)_Fees_Regs_2004.pdf)
- **The commencement of Section 53 of the Building (Scotland) Act 2003 and proposals for the introduction of verification works to Crown Buildings** - which went out to consultation on 9 October 2007. The consultation report can be accessed at:  
[http://www.sbsa.gov.uk/pdfs/Crown\\_Verification\\_Report.pdf](http://www.sbsa.gov.uk/pdfs/Crown_Verification_Report.pdf)

11. Committee members were also involved in working groups which would lead to the following public consultations scheduled for 2008:

- **Review of Building Standards (Scotland) Regulations 2004 Section 0: General, Section 3: Environment and Section 4: Safety**
- **Review of Building Standards (Scotland) Regulations 2004 Section 2: Fire**
- **Review of Building Standards (Scotland) Regulations 2004 Section 5: Noise**

12. During 2007, the Committee considered the following discussion papers, most of which subsequently led to the formulation of recommendations to Scottish Ministers:

- Details of the current position in relation to the implementation of the Energy Performance of Buildings Directive in Scotland.
- Members were invited to comment on the proposals for a relaxation direction to local authorities in relation to air conditioning systems (under Article 9 of the Energy Performance of Buildings Directive).
- Proposed changes to standards and guidance - Review of the Building (Scotland) Regulations 2004 Section 0: General - the paper discussed the key issues in relation to the provision of a design life statement as part of the warrant process, for use with Regulation 8 and to provide recommendations to be discussed within the SBSA.
- Appointment of a panel of experts to advise Scottish Ministers on the formulation of a Low Carbon Building Standards Strategy for Scotland to increase energy efficiency and reduce carbon emissions. The SBSA was keen to take advice from members of BSAC on the overall principle and remit of the Expert Panel.

13. Some Committee members were part of the Expert Panel appointed by Scottish Ministers to add their expertise to the development of a Low Carbon Buildings Standards Strategy for Scotland. Membership also included experts in construction and energy, together with experts from Norway, Denmark and Austria who have experience of the demanding energy standards in their home countries. The report of the Panel, "the Sullivan Report", was announced on 12 December 2007.

#### **WHAT WE PLAN TO DO IN 2008**

14. Continuation of Committee member involvement in the BSAC Working Groups detailed at paragraph 11.

15. The Sullivan Report identifies 56 recommendations and 9 workstreams for Government. Two working parties are to be established in 2008 to consider in detail recommendations relating to compliance and proposed changes to the energy standards of the building regulations together with developing proposals for implementation. Committee members will be invited to participate in these working parties.

16. We will continue to review progress on the implementation of Section 53 of the Building (Scotland) Act 2003 (which binds the Crown).

## **CHAIRPERSON'S COMMENTS**

This year saw the implementation of the first significant changes to the building regulations and associated guidance. These saw changes to sections 1, 3, 4 & 6 and a new procedural handbook together with a joint publication between SBSA and Historic Scotland of guidance on compliance with building standards for those altering historic buildings.

The changes made to section 6 regarding implementation of the Energy Performance of Buildings Directive are the first of a series of changes to the energy standards on which we are providing advice. Further changes are to be introduced in order to implement the recommendations of the Sullivan Report (referred to earlier in this report). Advising on the drafting and implementation of Low Carbon Building Standards will, therefore, form a major part of our work for some time to come.

The existing approved certifier schemes are becoming more settled and new certification schemes relative to energy (both domestic and non-domestic) have been approved. Officials are having ongoing discussions in relation to the approval of new schemes and the Committee continues to offer comment on certification and verification issues. In relation to verifiers, we have assisted in the introduction of a form of peer review for verifiers, where verifying their own work, which promises to assist in the setting of improved, consistent standards of verification.

As you can see the Committee has been, and continues to be, busy providing high level and invaluable advice to Ministers. This is entirely due to the expertise, knowledge and experience of, and time freely given by, members, both past and present, of the Committee and of its Working Parties, all of whom are experts in their field and leaders and senior members of their respective professions and industries. I would therefore like to take this opportunity to thank them all for finding the time, in their busy professional and business lives, not only to attend these meetings but also to read, digest, understand and comment upon the many technical papers produced for such meetings. I must also add my personal thanks for the help that they have given me as chair.

You may also have noticed, from this report, that a number of the members of the Committee came to the end of their appointment to the Committee at the end of 2007. Most of the members agreed to serve a further term. However, two members did not and I would like to take this opportunity to thank them for their invaluable assistance and service on the Committee over a number of years. They will be missed. In addition we had four co-optees, two of whom have agreed to serve as members from 2008. I would also like to thank those who gave their services during 2007 and I look forward to the continued assistance of those who have continued as appointed members.

Finally, I would like to thank all of the officials at the SBSA for their assistance, support and help to both the Committee and its Working Parties. I am sure I am speaking for all of the members when I say that without that help and support we would not have been able to carry out our functions and fulfil our remit.

████████████████████

# **Building Standards Advisory Committee**

Report of the Building Standards Advisory Committee  
(BSAC) for 2008

## **WHO WE ARE**

1. The Building Standards Advisory Committee (BSAC) is an advisory non-departmental public body which was established under the Building (Scotland) Act 1959 and continued under the Building (Scotland) Act 2003. The purpose of the Committee, which normally meets 3 times a year, is to advise Scottish Ministers on matters relating to the development of building regulations. Responsibility for building regulations in Scotland is devolved to the Scottish Parliament.

2. BSAC is sponsored by the Building Standards Division (BSD)\* of the Scottish Government's Directorate for the Built Environment. The secretariat is provided by BSD, which also provides additional technical advice to the Committee.

3. Members of the Committee have been appointed by Scottish Ministers and are selected to provide a broad spectrum of technical knowledge relevant to construction. They are not selected to represent particular interest groups.

4. The precise remit of the Committee is:

- To advise Scottish Ministers on the exercise of their functions under the Building (Scotland) Act 2003;
- To keep the operation of the building regulations under review and to make recommendations to Scottish Ministers in connection with the regulations; and
- To advise Ministers on any question relating to their functions under the Act which they may refer to the Committee.

5. The Committee is intended to provide a technical input to proposals for regulations, but with a strong remit to consider both the potential effects of the legislation and its interaction with related legislation.

## **ABOLITION OF BSAC**

6. In light of the Scottish Government's commitment to reform public services, Ministers have decided that the statutory basis of BSAC should be removed and the Committee, therefore, abolished. This will be brought about by the introduction of the Public Services Reform Bill, currently being developed by Scottish Government officials.

7. Following abolition, the Committee's functions will be continued through BSD establishing informal technical working groups operating on a non-statutory basis, thereby engaging with key construction industry stakeholders. Over and above the working groups, it is expected that there will be a co-ordinating group involving working group chairs and others, including BSD officials.

\* BSD was formerly known as the SBSA, an Executive Agency of the Scottish Government until 31 March 2008.

## COMMITTEE MEMBERSHIP

Name	Occupation	Appointment Details
[REDACTED]	[REDACTED]	1.1.07 to 31.12.09
[REDACTED]	[REDACTED]	1.1.08 to 30.06.09
[REDACTED]	[REDACTED]	1.1.08 to 31.12.09
[REDACTED]	[REDACTED]	1.1.08 to 30.06.09
[REDACTED]	[REDACTED]	1.1.08 to 30.06.09
[REDACTED]	[REDACTED]	1.1.08 to 31.12.10
[REDACTED]	[REDACTED]	1.1.08 to 31.12.10
[REDACTED]	[REDACTED]	1.1.08 to 31.12.09
[REDACTED]	[REDACTED]	1.1.08 to 31.12.09
[REDACTED]	[REDACTED]	1.1.08 to 30.06.09
[REDACTED]	[REDACTED]	1.1.08 to 31.12.09
[REDACTED]	[REDACTED]	1.1.08 to 31.12.09
[REDACTED]	[REDACTED]	1.1.08 to 31.12.10
[REDACTED]	[REDACTED]	1.1.08 to 31.12.09
[REDACTED]	[REDACTED]	1.1.08 to 31.12.09
[REDACTED]	[REDACTED]	1.1.08 to 31.12.10
[REDACTED]	[REDACTED]	1.1.08 to 31.12.10
[REDACTED]	[REDACTED]	1.1.08 to 31.12.08

8. Government observers from Communities and Local Government and Building Standards Northern Ireland also attend BSAC meetings.

9. In 2008, 3 Committee meetings were held in April, August and December and were attended by an average of 12 members per meeting. Following the announcement to abolish BSAC, an EGM was also held in April to enable members to discuss transition principles and develop recommendations for Ministers on future consultative arrangements.

10. Additionally, there were 7 Working Group meetings attended variously by 10 Committee members.

11. A small operational budget of £9,000 per annum is allocated to BSD, which is intended to offset travel and meeting costs.

## **WHAT WE HAVE DONE**

12. During 2008, the Committee commented on discussion papers covering the following issues, many of which subsequently led to the formulation of recommendations to Scottish Ministers:

- The implications of the Energy Performance of Buildings Directive on the building standards system
- Verifier audits
- Certification schemes
- Current and future building standards research
- Self verification by local authorities for buildings in which they have an interest
- Sustainability – including Planning Initiatives on Sustainability
- Developments in the Building Regulations in England and Wales and Northern Ireland
- A Low Carbon Building Standards Strategy for Scotland – The Sullivan Report
- BSAC Transition
- Removal of Crown Immunity and introduction of Crown Verification
- Reduced Warrant Fee for building to higher energy standards
- Review of Building Fees (Scotland) Regulations 2004

13. Committee members provided advice prior to the following public consultations:

- **Review of Building Standards (Scotland) Regulations 2004 Section 0: General, Section 3: Environment and Section 4: Safety**
- **Review of Building Standards (Scotland) Regulations 2004 Section 2: Fire**
- **Review of Building Standards (Scotland) Regulations 2004 Section 5: Noise – report available at <http://www.sbsa.gov.uk/latestupdates/consul.htm>**

14. The consultation reports on Fire and Safety at the time of writing this report have not been published.

15. Committee members were also involved in working groups in support of manifesto commitments which may lead to the following public consultations in 2009:

- **Review of Building Standards (Scotland) Regulations 2004 Section 3: Compliance**

The Working Group has been considering the five Sullivan Report 'Compliance' recommendations and the manifesto commitment to improve the compliance with building regulations.

- **Review of Building Standards (Scotland) Regulations 2004 Section 6 : Energy**

The Working Group is considering the Sullivan report recommendations relating to an initial staged improvement to energy standards in 2010. One of the first tasks undertaken as a result of the report is assessment of the effect that recommendations have on the cost of construction.

16. A working group has also been established to review the guidance given in Section 1 Structure of the Technical Handbooks. This review is focussing on:

- The introduction of the Structural Eurocodes to guidance.
- Revision to guidance on Disproportionate Collapse following publication of the National Annex to Structural Eurocode BS EN 1991-1-7 Accidental Actions.
- Clarification of the scope for extensions in the Small Buildings Structural Guidance.

17. Members were also asked to comment on an Air-Conditioning Inspection Relaxation No.2. (The Relaxation was not issued but after seeking advice the principles were adopted in guidance).

18. Members commented on The Building (Scotland) Amendment Regulations 2008.

### **WHAT WE PLAN TO DO IN 2009**

19. Continuation of Committee member involvement in the BSAC Working Groups detailed at paragraphs 13, 15 and 16.

20. Members will also be asked to comment on the implications of the Climate Change Bill draft provisions on the building standards system.

21. With the imminent abolition of BSAC as a statutory body, members will continue to participate in discussions with BSD officials on transitional issues.

## CHAIRPERSON'S COMMENTS

This year saw the announcement by Scottish Ministers that BSAC was to be abolished as a statutory body. As a consequence, a Committee EGM was convened prior to a meeting that I, as Chair, and a number of Committee members had with the Minister for Transport, Infrastructure and Climate Change, Stewart Stevenson. The EGM helped to develop a number of recommendations which we were able to propose to the Minister, and which were intended to highlight the Committee's views on what processes should be put in place, post-BSAC, in order to continue the necessary engagement between SG officials and the construction industry. The meeting with the Minister proved to be most useful, and although there is some way to go before BSAC is formally abolished, I and the Committee look forward to continuing to work with BSD officials on transitional arrangements. We also look forward to continuing our involvement with the Working Groups throughout 2009.

In the mean time the Committee has continued to be busy providing high level and invaluable advice to Ministers on the matters already covered in this report. This is entirely due to the expertise, knowledge and experience of, and time freely given by, members, both past and present, of the Committee and of its Working Parties, all of whom are experts in their field and leaders and senior members of their respective professions and industries. I know that I have said this before but I think it is worth repeating and I would again like to thank them all for finding the time, in their busy professional and business lives, not only to attend these meetings but also to read, digest, understand and comment upon the many technical papers produced for such meetings. I must also add my personal thanks for the help that they have given me as chair.

You may also have noticed, from this report that the appointments of all of the members of the Committee, except my appointment as chair, started at the beginning of 2008. In most cases these were extensions of existing appointments and I thank those members who agreed to stay on for their assistance. However there were also seven new members, [REDACTED], whose expertise and experience has been a greatly appreciated addition and assistance to the Committee.

Finally, I must again thank all of the officials at the Building Standards Division for their assistance, support and help to both the Committee and its Working Parties. I am sure I am speaking for all of the members when I say that without that help and support we would not have been able to carry out our functions and fulfil our remit. I would also like to add a special thank you, on behalf of the Committee, to the past Chief Executive of the Scottish Building Standards Agency, Paul Stollard, who has passed onto higher things at the Health and Safety Executive. I also add my own personal thanks, as Chair, to Paul, for his invaluable help in making the Committee and its Working Parties run so smoothly and for his encyclopaedic knowledge, which meant that the appropriate advice was always available. We all wish him well in his new post

[REDACTED]